

**UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA**

JULIE KEY,

Plaintiff,

v.

JOHN F. WITZEL, JR., *et al.*,

Defendants.

3:21-cv-00188-LRH-CSD

ORDER

Re: ECF No. 39

The court has received Plaintiff's "Motion for Order Compelling Production of Documents and for Payment of Expenses" (ECF No. 39). Defendants have filed an Opposition to Plaintiff's motion (ECF No. 42). Plaintiff's reply is due July 12, 2022.

In view of the court's hearing scheduled on Thursday, July 14, 2022, regarding Plaintiff's Motion to Compel (ECF No. 39), the court issues this order in advance of the discovery hearing.

Plaintiff's discovery motion is governed by Local Rule 26–7. Under that rule, any discovery motion must "set forth in full the text of the discovery originally sought and the response thereto, if any." LR 26–7(a). Plaintiff's motion provides copies of Plaintiff's requests for production (No. 1 and 2) and Defendants' responses. However, Plaintiff has not narrowly identified specific items of the disputed discovery. The failure to identify specific discovery which is the subject of the dispute complicates the court's ability to evaluate the propriety of Plaintiff's motion. One of the motion's exhibits is entitled "documents defendants have failed to produce" (Exhibit 9). Defendants'

1 opposition states that he has produced all of the documents that are in his possession, custody, and
2 control. It also appears based on the briefs that some of the documents on Exhibit 9 have already been
3 produced to Plaintiff. As a result, the pending dispute shifts the burden to the court to sift through the
4 various discovery requests, responses, and various exhibits to attempt to identify which particular
5 items or documents are still at issue.

6 As a result, the parties shall meet and confer prior to the July 14, 2022, hearing in an attempt
7 to identify and narrow the list of specific items in the discovery requests that remain in dispute from
8 Exhibit 9. The parties should also consider the court's civil standing order (ECF No. 35) which
9 provides a specific procedure for discovery disputes that arise during litigation that is designed to
10 obviate the time and expense for both sides in litigating a motion to compel.

11
12 **IT IS THEREFORE ORDERED** that the parties shall file a notice with the court on or before
13 **12:00 p.m. on Wednesday, July 13, 2022**, advising the court of the specific items in the discovery
14 requests that remain in dispute after they have met and conferred.

15 DATED: July 7, 2022.

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UNITED STATES MAGISTRATE JUDGE